

AO 187 (Rev. 7/87) Exhibit and Witness List

## UNITED STATES DISTRICT COURT

DISTRICT OF

Delaware

Cordis

v.  
Medtronic

## EXHIBIT AND WITNESS LIST

Case Number: 97-550-SLR, 97-700-SLR

| PRESIDING JUDGE           |          |              |        |          | PLAINTIFF'S ATTORNEY   |  | DEFENDANT'S ATTORNEY |  |
|---------------------------|----------|--------------|--------|----------|--|--|----------------------|--|
| Sve L. Robinson           |          |              |        |          | Balick   |  | Jacobs-Laden         |  |
| TRIAL DATE(S)             |          |              |        |          | COURT REPORTER   |  | COURTROOM DEPUTY     |  |
| 3/4/05, 3/11/05, 3/14/05  |          |              |        |          | Hawkins  |  | Tassone              |  |
| PLF. NO.                  | DEF. NO. | DATE OFFERED | MARKED | ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES                               |  |                      |  |
| 7650                      |          | 3/7/05       |        | ✓        | Picture of Palmaz Shatz Stent (Fischell)                             |  |                      |  |
| 2940                      | 2        |              |        | ✓        | Physical Exhibit - Palmaz Shatz stent                                |  |                      |  |
| 3260 <sup>for</sup><br>e) |          |              |        | ✓        | Physical Exhibit - BX Velocity stent                                 |  |                      |  |
| 1610                      |          |              |        | ✓        | monograph (Fischell)   |  |                      |  |
| 3641                      |          |              |        | ✓        | the Third Annual Course on Diagnostic + Therapeutic Angiography      |  |                      |  |
| 3658                      |          |              |        | ✓        | 2/3/83 Letter to Palmaz from Rosenbluth                              |  |                      |  |
| 3                         |          |              |        | ✓        | U.S. Patent '762, 4/26/1985  |  |                      |  |
| 6                         |          |              |        | ✓        | U.S. Patent '984, Schatz, 3/23/93                                    |  |                      |  |
| 390                       |          |              |        | ✓        | 3/7/86 Letter to Bowman from Palmaz                                  |  |                      |  |
| 2933                      |          |              |        | ✓        | Picture  |  |                      |  |
| 651                       |          |              |        | ✓        | Minutes of Stent Project Review 3/15/88                              |  |                      |  |
| 7611                      |          |              |        | ✓        | Website ISET   |  |                      |  |
| 7618                      |          |              |        | ✓        | Website - ISES Night of Honors                                       |  |                      |  |
| 7607                      |          |              |        | ✓        | Website - Presidential Award Ceremony                                |  |                      |  |
| 483                       |          |              |        | ✓        | 1969 Article, Dr. Dotter, Transluminally-placed...                   |  |                      |  |
| 10067                     |          |              |        | ✓        | Article - Palmaz, Balloon Expandable Intracranial...                 |  |                      |  |
| 481                       |          |              |        | ✓        | Article - 4/83 Transluminal Expandable... <sup>Dotter</sup>          |  |                      |  |
| 473                       |          |              |        | ✓        | Article - 9/84 Radiological Followup of... <sup>MacGillis</sup>      |  |                      |  |
| 921                       |          |              |        | ✓        | International Application  |  |                      |  |
| 3286                      |          |              |        | ✓        | 4/83 Non-Surgical Placement of Arterial Catheter... <sup>Grigg</sup> |  |                      |  |
| 3953                      |          |              |        | ✓        | U.S. Patent '568, Chanderco  |  |                      |  |
| (94) 3952                 |          |              |        | ✓        | U.S. Patent '374 Hammerlag, 12/24/85                                 |  |                      |  |

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

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## EXHIBIT AND WITNESS LIST - CONTINUATION

| Cordis     |          | vs. Medtronic |        | CASE NO. 97-550-SLK, 97-700-SLK |   |
|------------|----------|---------------|--------|---------------------------------|---|
| PLF. NO.   | DEF. NO. | DATE OFFERED  | MARKED | ADMITTED                        | DESCRIPTION OF EXHIBITS AND WITNESSES                             |
|            | 3968     | 3/7/95        |        | ✓                               | U.S. Patent '545, 11/19/85 Maass et al. (Palmarz)                 |
|            | 10139    |               | ✓      |                                 | DVD clip of Interview   |
|            | 3573     |               |        | ✓                               | monograph - 1983, Research Project 5/18/83                        |
|            | 3961     |               |        | ✓                               | U.S. Patent '458 Wilk et al., 11/13/90                            |
| 186        |          |               |        | ✓                               | Article - Device That Opens Clogged Arteries. (Croce)             |
| 3262A      |          |               |        | ✓                               | Picture of Velocity Stent   |
|            | 2798     |               |        | ✓                               | 1/8/97 Letter to Distributors Acceleration 1997 Product Release   |
|            | 4555     |               |        | ✓                               | Franchise Strategic Plan - Cordis                                 |
|            | 3416     |               |        | ✓                               | Cordis Cardiology Systems 1998, marketing + sales plan            |
| 7275       |          |               |        | ✓                               | John M. Collins, Ph.D. - CV (Collins)                             |
| 7482 (A+B) |          |               |        | ✓                               | Microstent - picture  |
| 7502 (A+B) |          |               |        | ✓                               | GFX - picture   |
| 3250 (A+B) |          |               |        | ✓                               | - picture stent   |
| 43         |          |               |        | ✓                               | Unique stent Design - Continuously Connect, Sinusoid Element      |
| 42         |          |               |        | ✓                               | AVE Stent, GFX, USA 7/18/97                                       |
| 151        |          |               |        | ✓                               | AVE, Stent, MS II, MS IXL and MS 2.5, USA                         |
| 3585       |          |               |        | ✓                               | Ring, GFX II, Mechanically Polished + Annealed                    |
| 49         |          |               |        | ✓                               | Stent, GFX II 1/21/98   |
| 3375       |          |               |        | ✓                               | Microstent II Final Configuration                                 |
| 7668       |          |               |        | ✓                               | Process Instruction   |
| 7597       |          |               |        | ✓                               | Dimensional Verification of Rotary Swaged AVE GFX 12mm stent 1/57 |
| 2613       |          |               |        | ✓                               | DVR #0407 - Dimensional Verification of the GFX II stent          |
| 41         |          |               |        | ✓                               | GFX + GFX XL - Dimensional Verification                           |
| 2372       |          |               |        | ✓                               | S.S.I.L. Dimensional Verification                                 |
|            | 1022     |               |        | ✓                               | U.S. Patent '556, Demopoulos et al. 8/22/90                       |
|            | 4029     |               |        | ✓                               | U.S. Patent '899, 11/29/88, Lazarus                               |
|            | 2814     |               |        | ✓                               | Cordis memo to Croce from Jordan 5/15/98                          |

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| Condis    |          |              | vs.                    | Medtronic |   | CASE NO. |
|-----------|----------|--------------|------------------------|-----------|---|----------|
|           |          |              | 97-550-812, 97-700-542 |           |   |          |
| PLF. NO.  | DEF. NO. | DATE OFFERED | MARKED                 | ADMITTED  | DESCRIPTION OF EXHIBITS AND WITNESSES                                   |          |
|           | 105      | 3/8/05       |                        | ✓         | AVE AttackPack + Comparative Overview (Collins)                         |          |
|           | 10222    |              |                        | ✓         | TJAX-LLC. Services-Overview   |          |
| 7658      |          |              |                        | ✓         | AVE S.Y. 7 Uniformity GFR Stent   |          |
| 7678      |          |              |                        | ✓         | CV of P Nigel Buller (Buller)   |          |
| 188       |          |              |                        | ✓         | Article "Crackers, Breakers, Stretchers, Drillers"                      |          |
| 185       |          |              |                        | ✓         | Editorial - Coronary Artery Stents + other...                           |          |
| 2075      |          |              |                        | ✓         | Abstracts from the 66 <sup>th</sup> Scientific Session 11/8-11/11/93    |          |
| 225       |          |              |                        | ✓         | Intracoronary Stenting, Ruygrok   |          |
| 227       |          |              |                        | ✓         | 8/25/94 A Comparison of Balloon Expandable...<br>Serrys                 |          |
| 228       |          |              |                        | ✓         | 8/25/94 Fishman, M.D. A Randomized comparison...                        |          |
| 1         |          |              |                        | ✓         | U.S. Patent '665, Palmaz  |          |
| 4         |          |              |                        | ✓         | U.S. Patent '762, Palmaz  |          |
| 274       |          |              | IO                     |           | Hand book   |          |
| 275       |          |              | IO                     |           | Hand book   |          |
| 276       |          |              | IO                     |           | Hand book   |          |
| 277       |          |              |                        | ✓         | Hand book - chapter - Coronary Stenting<br>EXCERPT current perspectives |          |
| 7626      |          |              | IO                     |           | Hand book   |          |
| 3810      |          |              |                        | ✓         | Endoluminal Stenting<br>EXCERPTS  |          |
| 3204      |          |              |                        | ✓         | Chapter - Clinical Use of the Palmaz-Schatz                             |          |
| 95 (2024) |          |              |                        | ✓         | U.S. Patent, '744, Ersek  |          |
| 4042      |          |              |                        | ✓         | Declaration of George Andros, M.D.                                      |          |
| 12        |          |              |                        | ✓         | File wrapper - '762 Patent  |          |
| 13        |          |              |                        | ✓         | File wrapper - '762 Patent (Vol 2)                                      |          |
| 14        |          |              |                        | ✓         | File wrapper - '762 Patent (Vol 3)                                      |          |
| 7216      |          |              |                        | ✓         | Radiology November/1984   |          |
| 7691      |          |              |                        | ✓         | Picture Palmaz-Schatz, Bx/beloach, Cypher                               |          |
| 5         |          |              |                        | ✓         | U.S. Patent, '417, Palmaz, 4/7/92                                       |          |



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| Card 15    |          | vs. Medtronic |        | CASE NO. 97-550-SLR, 97-700-SLR |  |
|------------|----------|---------------|--------|---------------------------------|--|
| PLF. NO.   | DEF. NO. | DATE OFFERED  | MARKED | ADMITTED                        | DESCRIPTION OF EXHIBITS AND WITNESSES  |
| 101        |          | 3/8/05        |        | ✓                               | Expandable Intraluminal Graft: <sup>Palmarz</sup> A Preliminary Study (Biller) |
| 3714       |          |               |        | ✓                               | AVE Product Evolution  |
| 144        |          |               |        | ✓                               | Tracheobronchial Tree: Expandable Metallic Stents                              |
| 143        |          |               |        | ✓                               | Stenosis of the Vena Cava: Preliminary Assessment...                           |
| 207        |          |               |        | ✓                               | Flexible Balloon-expanded stent <sup>for Small</sup> vessels                   |
| 7552       |          |               |        | ✓                               | Stent - picture  |
| 1950       |          |               |        | ✓                               | Intravascular Stents, Palmarz, M.D.  |
| 2599       |          |               |        | ✓                               | License agreement Hammersteg   |
| 7676       | 3/9/05   |               |        | ✓                               | Directions for use - Palmarz-Schatz <sup>Balloon exp. stent</sup>              |
| 806        |          |               |        | ✓                               | physical exhibit - Gianturco Stent   |
| 10219      |          |               |        | ✓                               | physical Exhibit (Allen)   |
| 10165B     |          |               |        | ✓                               | picture 15KV x 18 1mm 51 40  |
| 10165A     |          |               |        | ✓                               | picture 15KV x 200 19 40   |
| 10166B     |          |               |        | ✓                               | picture - x18 1mm 000 50 40  |
| 10166A     |          |               |        | ✓                               | picture - 15KV x 300 50 20 40  |
| AVE M 13   |          |               |        | ✓                               | package  |
| AVE M 14   |          |               |        | ✓                               | package  |
| 10167B     |          |               |        | ✓                               | picture x18 1mm 48 40  |
| 10167A     |          |               |        | ✓                               | picture - x300 50 21 40  |
| AVE 10094  |          |               |        | ✓                               | Specification stent ms 11 VBS 11 x 1 + ms 2.50sm                               |
| AVE 10209  |          |               |        | ✓                               | Volume 5 - Stent Testing   |
| AVE 10209A |          |               |        | ✓                               | Finite Element Analysis of the 6FX Cardiovascular stent                        |
| AVE 10209B |          |               |        | ✓                               | Finite Element Analysis of 6FX2 Cardiovascular stent...                        |
| AVE 10218  |          |               |        | ✓                               | Volume 3 Description   |
| AVE 10219  |          |               |        | ✓                               | Section V In Vitro Testing   |
| 1575       |          |               |        | ✓                               | Resume - Wagener   |
| 10090A     |          |               |        | ✓                               | Picture stent artery (Ersek)   |

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| amdis    |          | vs. Medtronic |        | CASE NO. 97-550-SUK 97-700-SUK |   |
|----------|----------|---------------|--------|--------------------------------|---|
| PLF. NO. | DEF. NO. | DATE OFFERED  | MARKED | ADMITTED                       | DESCRIPTION OF EXHIBITS AND WITNESSES                             |
| 10010B   |          | 3/9/05        |        | ✓                              | Picture - Stent / artery (Ersek)                                  |
| 10010C   |          |               |        | ✓                              | Picture - Stent / artery  |
| 10010D   |          |               |        | ✓                              | Picture - Stent / artery  |
| 10008    |          |               |        | ✓                              | Grant Application   |
| 10009    |          |               |        | ✓                              | Grant Application - Heart Valve Transplantation - Bosh Foundation |
| 10001    |          |               |        | ✓                              | Grant Application - Heart Valve Transplantation                   |
| 10224    |          | 3/10/05       |        | NO                             | consulting agreement  |
| 10225    |          |               |        | NO                             | Newsletter  |
| 10157    |          |               |        | ✓                              | Resume - Henry Pichler (Pichler)                                  |
| 10041I   |          |               | Dem    |                                | Demonstrative - physical  |
| 10041G   |          |               | Dem    |                                | Demonstrative - physical  |
| 7408     |          |               |        | ✓                              | 3/21/67 R.L. Dave ETAL 3, 310, 437 figures                        |
| 7686     |          |               | Dem    |                                | demonstrative physical - piece of large expanded metal            |
| 145      |          |               |        | ✓                              | CV of van Breda (van Breda)                                       |
| 33303    |          |               |        | ✓                              | Self-Expanding Endovascular Prosthesis: ATU Experimental study    |
| 84       |          |               |        | ✓                              | Normal + Stenotic Renal Arteries... Palma                         |
| 854      |          |               |        | ✓                              | Defining Coronary Restenosis, Kuntz                               |
| 8002     |          |               |        | NO                             |   |
| 10164    |          |               |        | ✓                              | CV - Heuser (Heuser)  |
| 10081    |          |               |        | ✓                              | (Redacted) - serial no 25815 Patent no. 365714                    |
| 10013    |          |               |        | ✓                              | High Balloon dilatation pressure in Coronary angioplasty          |
| 144      |          |               |        | ✓                              | Malpositioned Biliary Endoprosthesis                              |
| 153      |          |               |        | ✓                              | American Journal of Roentgenology                                 |
| 7172     |          |               |        | ✓                              | Transcatheterially-placed Coil springs Endovascular Tube Grafts   |
| 7165     |          |               |        | ✓                              | Surface in Biomaterials, Spring 2004                              |